

Title III / English Learners Monitoring Document

Introduction

The Kentucky Department of Education (KDE), Division of Learning Services (DLS), Diverse Learners Branch, created this document to assist districts in completing a monitoring review of a district's Title III and/or English Learners program.

The document is designed to assist school district personnel in conducting an accurate record review. United States Department of Education (USED) monitoring request, in addition to DLS's experiences during district desk audits and on-site visits are incorporated to make the document more useful to districts and DLS.

Please review each item, check the appropriate box, and provide any necessary documentation and/or comments:

- **Directions:**
 - mark "Yes" if there is evidence of documentation
 - mark "No" if there is no evidence of documentation
 - mark "N/A" if it not applicable
- **Recommended Documentation:** contains guidance on locating documentation; lists are not all inclusive
- **Comments:** provide additional information for accurate completion of the item

The Diverse Learners Branch has wide-ranging reasons for developing this document:

- to increase the accuracy of district reviews and increase consistency across the state in completing the review
- to provide professional development to district staff on compliance monitoring
- to provide technical assistance to districts for assistance in interpreting and meeting federal regulations

An email will be sent to the district English Learner (EL) Coordinator and Superintendent two weeks prior to the monitoring visit outlining details of the visit. The email will include a copy of the monitoring instrument along with a request of folders containing the Program Service Plan (PSP) of current English learner (EL) students and exited EL students that are in year one and year two of monitoring status. The student records will be randomly selected.

The district will receive a program report within two weeks of the monitoring visit. The report will discuss each of the areas outlined in the monitoring instrument, outline areas of program strength and any areas where there is opportunity for improvement. If necessary, an English Learners Improvement Plan (ELIP) document will be included with instructions for completion and target dates.

Title III / English Learners Monitoring Document

Explanation of Federal and State Regulations for Areas of Review

Equal education opportunities must be provided to all EL students as required under Title VI of the Civil Rights Act and the Equal Educational Opportunity Act of 1974, section 204(f), 703 KAR 5:070 and affirmed by the Supreme Court in Plyer v. Doe along with the 1965 Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act (ESSA).

The following information outlines specific areas the review team investigated:

PSP

- The review team assessed the districts compliance with ESEA Section 1112 (e)(3) which requires parent to be informed about the language instruction educational program provided to their EL child. Based on Sec. 1112(e)(3) and the Office of Civil Rights (OCR) guidelines, the PSP should contain the:
 1. reasons for identification
 2. the child's level of English proficiency
 3. the status of the child's academic achievement
 4. the instructional program for the EL student
 5. specific accommodations and/or modifications allowed for instruction and state-required assessments
 6. specific exit requirements for the program
 7. information pertaining to the parental rights, including the right to decline services should be included in the PSP form or on a waiver document
 8. a list of names of persons who reviewed the document and made decisions

Monitored Students

- The review team assessed the districts compliance with OCR and KDE requirements on monitoring exited EL students for two years. Monitored students' folders should contain the ACCESS data indicating the student has achieved exit status, the designated instructional staff that will monitor the student, data on performance in classes, state assessment data (if available), and documentation of meetings/conferences/actions taken if academic performance is unacceptable.

English Language Development Standards

- Per ESEA Sec. 3113(b)(3)(G) and Title VI of the Civil Rights Act of 1964, documentation was reviewed for evidence of dissemination and implementation of the WIDA English Development (ELD) Standards to all schools and staff. The WIDA ELD standards connect to the Kentucky Academic Standards (KAS) and all staff members who work with EL students should receive training in their use.

Title III / English Learners Monitoring Document

English Language Proficiency (ELP) Identification and Assessment

- Title VI of the Civil Rights Act of 1964 and EEOA require that districts have policies and procedures for the identification of potential EL students. Kentucky districts are required to have all students complete a Home Language Survey (HLS) that has a minimum of four questions listed on the KDE website (<http://education.ky.gov/specialed/EL/Pages/English-Learners-and-Immigrant--Resources.aspx>). The OCR recommends that HLS should not have questions that the OCR indicates have a “chilling effect”. These would be questions concerning a student’s immigrant status such as requesting Social Security numbers or other documentation.
- Students that are identified as possibly EL students must be screened in Kentucky using the W-APT. Districts should have procedures in their EL/Title III plan for who will conduct the W-APT and a timeframe that meets federal requirements. The district should have policies and procedures for developing a PSP for those students that qualify as EL based on the W-APT results.
- Each local district should have policy and procedures for assessing EL students annually.

Instructional Program and Educational Approaches for EL Students

- ESEA Sec. 3111(c)1 and ESEA Sec. 3116 require that local districts increase the English proficiency levels of EL students by implementing effective language instruction educational programs (LIEP) that meet the needs of ELs and demonstrate success in increasing English Language Proficiency and student academic achievement in the core academic subjects.

Immigrant Children and Youth

- Districts with significant increases of immigrant students compared to two previous years are eligible to receive Title III Subgrant funds to pay for enhanced instructional opportunities for immigrant youth according to activities designated in ESEA Sec. 3114-3115. Districts should have documentation of the number of immigrant students being served, list of immigrant students by country of birth, and approved local district plan/budget for serving immigrant youth.

Title III / English Learners Monitoring Document

Private School Participation

- ESEA Sec. 8501 – 8504 requires that local districts conduct “timely and meaningful” consultation with private schools and home school officials. The local district should have policies and procedures in place for provision of services on an equitable basis to eligible EL children enrolled in private or home schools. Documentation should include procedures to identify EL students, methods for determining continuing eligibility, and procedures for evaluating the effectiveness of services to the EL students.

Fiscal Requirements – District Allocations, Reallocations and Carryover

- ESEA Sec. 3115(g) requires local districts that receive a Title III Subgrant use Title III funds to supplement, not supplant the local districts EL program. Title III funds must be used for supplement effective instruction program for EL students, effective professional development and parent, family and community engagement activities. Any purchases using Title III funds must only be used for EL students and their educational services. Districts should have budgets, expenditure reports, invoices, purchase orders, contracts paid and other documentation for use of Title III funds.
- All local districts that have an EL population should have funds budgeted for providing educational services for EL students to meet the districts’ Title VI Civil Rights obligations irrespective of Title III allocations.

Teacher Education and Professional Development

- ESEA Sec. 3111(b)(2)(B) requires that local districts receiving Title III Subgrant funds provide “high-quality professional development to classroom teachers (including teachers in classroom settings that are not in language instructional programs), principals, administrators, and other school personnel that is designed to: Designed to improve the instruction and assessment of EL students, designed to enhance the ability of teachers to understand the use of curricula, assessment measures, and instructional strategies for EL students based on scientifically based research (SBR) demonstrating the effectiveness of the professional development in increasing the student’s English language proficiency or substantially increasing the subject matter knowledge, teaching knowledge, and teaching skills of teachers, and of sufficient intensity and duration to have a positive and lasting impact on the teacher’s performance in the classroom”.
- Office of Civil Rights (OCR) and Department of Justice (DOJ) joint 2015 Dear Colleague Letter (DCL) indicate that all districts must provide adequate professional development and follow-up training in order prepare EL program teachers and administrators to implement the EL program effectively. (USED Tool Kit Chapter 3: *Tools and Resources for Staffing and Supporting an English Learner Program*)
- Districts that do not receive Title III Subgrants should provide professional development for staff members that work with EL students on the ELD standards and instructional practices. Districts should maintain documentation of trainings.
- Districts must hire teachers qualified and certified to teach ELs, or support unqualified staff as they work towards obtaining the qualifications within a reasonable period of time (e.g., within two years). Local education agencies (LEAs) that cannot hire an adequate

Title III / English Learners Monitoring Document

number of qualified ESL/bilingual or trained core-content teachers must ensure that current teachers obtain the requisite training.

Parent, Family and Community Engagement

- In accordance with ESEA Sec. 3115(c)(3) local districts are required to “provide and implement other effective activities and strategies that enhance or supplement language instruction educational programs for English learners, which shall include parent, family and community engagement activities. Title VI requires information provided to parents should be provided in an understandable format when practical and schools should work to make parents active participants in the education of their children.

Title III / English Learners Monitoring Instrument

LEA: [Click here to enter text.](#)

Date Reviewed: [Click here to enter text.](#)

Title III Subgrant District: ☐ Yes ☐ No

1. ELD Standards [Title VI of the Civil Rights Act of 1964], [ESEA Sec. 1111(b)(1)(F)]	Yes	No	N/A	Recommended Documentation	Comments
a. Has the district disseminated the State ELD Standards (WIDA) to schools and staff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Training Dates Agendas Web links	Click here to enter text.
b. Has the district implemented the ELD Standards including training, curriculum development, and/or related activities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Training dates Agendas Curriculum maps	Click here to enter text.
2. ELP Identification and Assessment [Title VI of the Civil Rights Act of 1964], [703 KAR 5:070], [ESEA Sec. 1112(e) (3)]	Yes	No	N/A		Comments
a. Does the district have a plan to identify EL	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	District EL (LAU) Plan Home Language Survey (HLS) Enrollment forms	Click here to enter text.

Title III / English Learners Monitoring Instrument

students and administer the HLS to all students?				District LEP Handbook or EL Handbook	
b Does the district notify parents of each child identified as EL within 30 calendar days (or two weeks for students enrolling after the beginning of the school year) of the following: 1) reason for identification; 2) level of English proficiency; 3) status of their child's academic achievement; 4) method(s) of instruction; 5) specific accommodations and/or modifications for instruction and assessment; 6) specific program exit requirements	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Sample of parent notification letter Initial enrollment procedures Meeting notices Meeting agendas Meeting minutes with list of attendees Other relevant documents	Click here to enter text.

Title III / English Learners Monitoring Instrument

and 7) the rights of parents to decline service or the type of service?					
c. Does the district have a committee that develops a PSP for each EL student?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of PSP form Meeting notices Meeting minutes with attendees list LEA curriculum guide with EL modifications Other relevant documents	Click here to enter text.
3. AMAOs [Title VI of the Civil Rights Act of 1964]	Yes	No	N/A		Comments: Accountability will move to Title I with the ESSA; AMAOs have been removed from Title III for the ESSA transition year (2016-2017)
a. Does the district review data on the students' English language proficiency attainment, student ELP progress and other assessment results?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	W-APT scores data ACCESS testing schedules ACCESS scores data State Assessment data Documentation of testing accommodations Other relevant documents	Click here to enter text.
4. Instructional Program and Educational Approaches for EL Students [Title VI of the Civil Rights Act of 1964], [ESEA	Yes	No	N/A		Comments

Title III / English Learners Monitoring Instrument

Sec. 3111(c)1 and ESEA Sec. 3116]					
a. Does the district have an approved local EL (Lau) plan to provide services to ELs that is designed to enable ELs to attain both English proficiency and have equitable participation in the standard instructional program?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of approved local EL plan Signed assurances Detailed description of instructional programs in district's Lau or EL Handbook Other relevant documents	Click here to enter text.
b. Does the district use its Title III funds to enhance or supplement the core language instruction educational program (LIEP)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Records of equipment inventory Copies of invoices for contracted services Budgets vs. expenditure printout List of all EL staff with funding sources	Click here to enter text.
c. Did the district develop its Title III Plan in consultation with teachers, researchers, school administrators,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meeting notices Meeting agendas Minutes of meetings attendees list Documentation of committees Questionnaires/surveys Other relevant documents	Click here to enter text.

Title III / English Learners Monitoring Instrument

parents and other education-related community groups as appropriate?					
d. Is the district's plan designed to give ELs full access to the KAS, so that they can achieve school college and career readiness?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	District curriculum guides that include EL modifications Sample EL student schedules Documentation of collaborative planning	Click here to enter text.
5. Immigrant Children and Youth [Title VI of the Civil Rights Act of 1964], [ESEA Sec. 3114, 3115 and 3201]	Yes	No	N/A		Comments
a. Does the district maintain data on the number of Immigrant students being served for the current year and the previous two years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Immigrant data	Click here to enter text.
b. Does the district maintain a list of the Immigrant students in	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Immigrant data	Click here to enter text.

Title III / English Learners Monitoring Instrument

district by country or place of birth (Identifiers such as names, student identification numbers, and date of birth should NOT be included in this file)?					
c. Does the district have a signed and dated district Immigrant plan approved State Education Agency (SEA)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Immigrant plan Other relevant documents	Click here to enter text.
d. Does the district's program support funds provide enhanced instructional opportunities for immigrant children and youth? (This section only completed if district receives Immigrant funding)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of Immigrant plan Copy of Immigrant approved budget Other relevant documents	Click here to enter text.

Title III / English Learners Monitoring Instrument

6. Private School [Title VI of the Civil Rights Act of 1964], [ESEA Sec. 8501-8504]	Yes	No	N/A		Comments
a. Has the district consulted with nonpublic schools to identify EL students and provided for equitable participation of eligible students within the district's school attendance area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of district policies and procedures for provision of equitable services to eligible private school EL children. Meeting notices Meeting agendas Meeting minutes with attendees list Emails Questionnaires/Surveys Copy of procedures to identify students as EL and methods for determining continued eligibility Number of EL and immigrant private school students and the number participating in Title III Copy of procedures for evaluating the effectiveness of services provided to EL private school students, teachers, or other educational personnel Other relevant documents	Click here to enter text.
7. Fiscal Requirements – District Allocations, Reallocations and Carryover [Title VI of the Civil	Yes	No	N/A		Comments

Title III / English Learners Monitoring Instrument

Rights Act of 1964], [ESEA Sec. 3115(g)]					
a. Before Title III funds, does the district provide sufficient funds to use for each EL with learning opportunities in English Development and the core curriculum?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Time and effort forms Records of equipment inventory Copies of invoices for contracted services Budgets vs. expenditure printout List of all EL staff with funding sources Copy of approved local EL plan Other relevant documents	Click here to enter text.
b. Does the district Title III expenditures meet federal fiscal requirements, including time and effort, equipment records, detailed invoices and documented internal controls of the district? This includes if the district receives funding for significant increase of	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Time and effort forms Records of equipment inventory Copies of invoices for contracted services Budgets vs. expenditure printout List of all EL staff with funding sources Copy of approved local EL plan Other relevant documents	Click here to enter text.

Title III / English Learners Monitoring Instrument

immigrant students.					
c. Does the district have a copy of signed and dated award notification for Title III LEP and Immigrant children and youth Subgrant on file?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Copy of approved local Title III and/or Immigrant plan Other relevant documents	Click here to enter text.
8. Teacher Education and Professional Development [Title VI of the Civil Rights Act of 1964], [ESEA Sec. 3111(b)(2)(B)]	Yes	No	N/A		Comments
a Does the district provide the personnel necessary and qualified to effectively implement the EL programs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Teacher certification Workshop announcements Workshop agendas Copy of plan/documentation to collaborate and disseminate information for all staff of ELLs Other relevant documents	Click here to enter text.
b. Does the district provide effective professional development to teachers,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Workshop announcements Workshop agendas Professional Development Plan	Click here to enter text.

Title III / English Learners Monitoring Instrument

administrators and other school personnel?				Copy of plan/documentation to collaborate and disseminate information for all staff of ELLs Evidence of continued application of training Other relevant documents	
c. Does the district evaluate the effectiveness of the professional development provided to teachers, administrators and other school personnel?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Workshop evaluations Workshop surveys Evidence of continued application of training Other relevant documents and data	Click here to enter text.
9. Parent, family and community engagement [ESEA Sec. 3115(c)(3)]			N/A		Comments
a. Does the district promote parent, family and community engagement in programs for EL students? (this is not just parent notifications)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Meeting notices Meeting agendas Minutes of meetings with list of attendees Questionnaires/Surveys Other relevant documents/resources	Click here to enter text.

Title III / English Learners Monitoring Instrument

Title III Program Strengths:

Click here to enter text.

Title III Program Opportunities for Improvement:

Click here to enter text.

Additional Comments:

Click here to enter text.